

Electronically Recorded

Tarrant County Texas

Official Public Records

8/26/2010 1:05 PM

D210208299



PGS 2 \$20.00

CITY SECRETARY  
CONTRACT NO. \_\_\_\_\_

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVERS' LICENSE NUMBER

**AMENDMENT OF DESCRIPTION OF OIL AND GAS LEASE AND MEMORANDUM  
OF OIL AND GAS LEASE**

STATE OF TEXAS        }  
COUNTY OF TARRANT }

WHEREAS, on December 1, 2009, the CITY OF FORT WORTH, A HOME RULE MUNICIPAL CORPORATION OF THE STATE OF TEXAS, as Lessor, heretofore executed a Memorandum of Oil and Gas Lease to XTO ENERGY INC., as Lessee, recorded on December 16, 2009 at Clerk Document No. D209327271, Official Public Records of Tarrant County, Texas, covering the following lands located in Tarrant County, Texas, to wit:

**0.016368 ACRES, MORE OR LESS**, being all of Lot A2, W. F. Howell Subdivision, an Addition to the City of Fort Worth, being a portion of Lot A, as described in the plat recorded in Cabinet 388-H, page 347 of the Plat Records of Tarrant County, Texas, and being the same land conveyed to the City of Fort Worth in Volume 10171, Page 1635 of the Official Public Records of Tarrant County, Texas.

(Meadowbrook Dr. ROW)

**AND WHEREAS**, said descriptions are incomplete and indefinite and the lands intended to be covered are more accurately described as follows:

**0.080912 of an acre**, more or less, of a called 0.016368 of an acre, situated in the James B. Martin Survey, A-1133, Tarrant County, Texas, being a portion of Lot A, W. F. Howell Subdivision, according to the Plat thereof recorded in Volume 388-H, Page 347, Plat Records, Tarrant County, Texas, and being more particularly described in that certain General Warranty Deed dated December 27, 1990, from the Oak Hill Presbyterian Church to the City of Fort Worth, a municipal corporation, as recorded in Volume 10171, Page 1635, Official Public Records, Tarrant County, Texas.

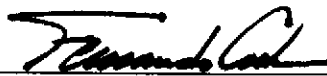
(Meadowbrook Dr. ROW)

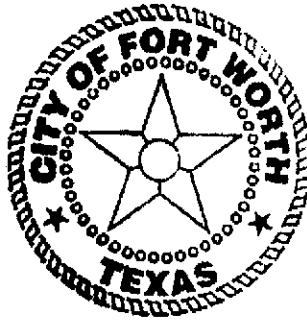
**NOW THEREFORE**, for and in consideration of the premises, the benefits to be derived therefrom, the receipt and sufficiency of which are hereby acknowledged, City of Fort Worth, a home rule municipal corporation of the State of Texas, does hereby adopt, ratify and confirm said lease and all of its terms and provisions and does hereby declare that it was and is our intention to lease for oil and gas purposes, and do grant, lease, let and demise unto said XTO Energy Inc., a Delaware Corporation, the interest in the above lands, in accordance with all of the terms and provisions thereof as fully and completely as if the undersigned had originally executed, acknowledged, and delivered said lease. For the same consideration, the undersigned declares that said lease and all of its terms and provisions are binding on the undersigned and that it is a valid and subsisting Oil, Gas and Mineral Lease.

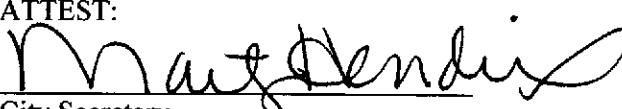
**EXCEPT** as otherwise amended herein, the above described lease is and shall remain in full force and effect as written in accordance with its terms and conditions, and the undersigned Lessor recognizes said lease as a valid and sustaining Oil, Gas and Mineral Lease.

IN WITNESS WHEREOF this Amendment is executed by the undersigned on the respective date of the acknowledgment below, but is effective as of the date of December 1, 2009, the date of the lease.

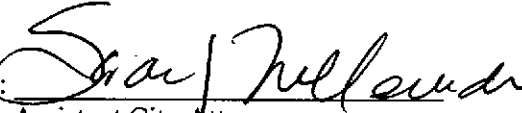
LESSOR:  
CITY OF FORT WORTH

By:   
Fernando Costa  
Assistant City Manager



ATTEST:  
  
City Secretary

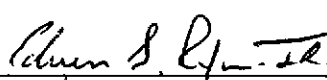
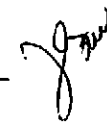
APPROVED AS TO FORM AND LEGALITY:

By:   
Assistant City Attorney

NO M&C REQUIRED

Date: 8/10/10

LESSEE: XTO Energy Inc.

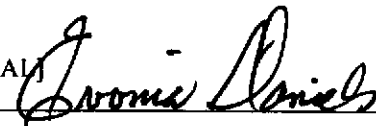
By:    
Date: 8/23/10

#### ACKNOWLEDGEMENTS

THE STATE OF TEXAS       §  
  §  
COUNTY OF TARRANT   §

BEFORE ME, the undersigned, a Notary Public, on this day personally appeared Fernando Costa, Assistant City Manager of the City of Fort Worth, a home-rule municipal corporation of the State of Texas, known to me to be the person whose name is subscribed to the foregoing instrument and, that he has executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 10<sup>th</sup> day of August, 2010.

[SEAL]  Notary Public in and for the  
State of Texas



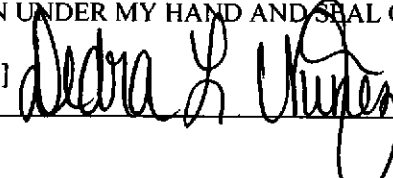
My Commission Expires:

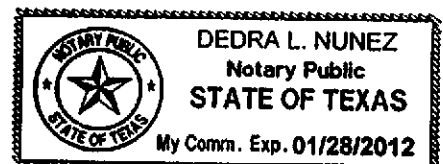
Print Name of Notary Public Here

THE STATE OF TEXAS       §  
  §  
COUNTY OF TARRANT   §

BEFORE ME, the undersigned, a Notary Public, on this day personally appeared Edwin S. Ryan, Jr. Sr. VP - Land Administration, on behalf of XTO Energy, Inc., known to me to be the person whose name is subscribed to the foregoing instrument and, that he has executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 23<sup>rd</sup> day of August, 2010.

[SEAL]  Notary Public in and for the  
State of Texas



My Commission Expires:

Print Name of Notary Public Here

Return to: Bryson G. Kuba  
6127 Green Jacket Dr.  
Apt. # 1136  
Fort Worth, TX 76137